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*Attorneys for Defendants Multi-Strategy Fund Limited
and CDP Capital Tactical Alternative Investments*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

MULTI-STRATEGY FUND LIMITED and
CDP CAPITAL TACTICAL ALTERNATIVE
INVESTMENTS,

Defendants.

No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 12-01205 (SMB)

**REPLY DECLARATION OF ROBERT J. LACK IN SUPPORT OF
CDP DEFENDANTS' MOTION TO DISMISS BASED ON
EXTRATERRITORIALITY AND IN OPPOSITION TO
TRUSTEE'S MOTION FOR LEAVE TO AMEND COMPLAINT**

ROBERT J. LACK declares:

- 1 I am a member of the bar of this Court and a member of Friedman Kaplan Seiler & Adelman LLP, counsel for defendants Multi-Strategy Fund Limited and CDP Capital Tactical Alternative Investments (the “CDP Defendants”).
2. Attached as Exhibit A is a true and correct copy of the email from Mario Therrien to Simon Ruddick, dated December 12, 2008, which is quoted in paragraph 17 of the Trustee’s Proffered Allegations Pertaining to the Extraterritoriality Issue as to the CDP Defendants (No. 12-01205 ECF 57).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 30, 2015

s/ Robert J. Lack
Robert J. Lack